

महाराष्ट्र शासन

क्रमांक :- भाप्रसे-१५०६/प्र.क्र.२९७/०६/९

सामान्य प्रशासन विभाग,

मंत्रालय, मुंबई - ४०० ०३२

दूरध्वनी क्र.-०२२- २२८८ ६१४१

फॅक्स क्र.- ०२२-२२०२ ७३६५

दिनांक :- २७.१०.२००६

प्रति,

महाराष्ट्र संवर्गातील सर्व भा.प्र.से.अधिकारी

विषय - अ.भा.से.(वर्तणूक) नियम, १९६८ मधील महत्वाच्या तरतूदीबाबत

महोदय/महोदया,

अखिल भारतीय सेवतील अधिकाऱ्यांकरिता केंद्र शासनाने भा.प्र.से. अधिकाऱ्यांच्या वर्तणूक विषयाबाबत अ.भा. से.(वर्तणूक) नियम, १९६८ अन्वये तरतूदी केलेल्या आहेत. त्यातील महत्वाच्या तरतूदी या पत्रासोबत जोडण्यात आलेल्या आहेत. त्याचे काटेकोरपणे पालन करण्याची दक्षता भा.प्र.से.अधिकाऱ्यांनी घ्यावी.

याबाबत संबंधित नियमांतील नियम क्र.१६ संदर्भात खालील बाबी भा.प्र.से.अधिकाऱ्यांच्या निदर्शनास आणण्यात येत आहे :-

१६ (३) नियमातील तरतूदीनुसार कोणताही चल/अचल व्यवहार हा शासनाला पूर्वकल्पना देण्याखेरीज करता येत नाही. बरेचसे अधिकारी पूर्वकल्पना न देताच व्यवहार पूर्ण करतात व नंतर त्याची माहिती देतात. अचल व्यवहाराच्या बाबतीत केंद्र शासन गांभीर्यपूर्वक विचार करते कारण केंद्र शासनाच्या क्र.५/१८/७३-AIS-(III), दिनांक २०.०७.१९७३ च्या पत्रातील तरतूदीनुसार पूर्वकल्पना न देता करण्यात आलेल्या अचल मालमत्तेसंबंधीचा व्यवहार नियमातील तरतूदीचा भंग करणार आहे, अशा स्पष्ट सूचना देण्यात आलेल्या आहेत. असे असले तरी बरेचसे अधिकारी व्यवहार पूर्ण झाल्यानंतर सदर माहिती देतात. ही बाब नियमाच्या तरतूदींशी विसंगत आहे, हे भा.प्र.से. अधिकाऱ्यांनी लक्षात घ्यावे व व्यवहाराची नोंद घेण्यासाठी योग्य वेळीच शासनाच्या माहितीसाठी सादर करावी.

याशिवाय भा.प्र.से. अधिकाऱ्याने केलेल्या चल/अचल संपत्तीच्या व्यवहाराची माहिती देताना त्यासाठी विहित केलेल्या नमुन्यात देणे आवश्यक आहे. तथापि, अधिकारी विहित नमुन्यात माहिती देत नाहीत. त्यामुळे त्यासाठी उलट पत्र पाठवून माहिती मागवावी लागते. तथापि, अशा पत्रांना अधिकाऱ्यांकडून प्रतिसाद अतिशय कमी प्रमाणात मिळतो, असे दिसून आले आहे. त्यामुळे सदर प्रकरणे विनाकारण प्रलंबित राहतात. तेव्हा अधिकाऱ्यांनी व्यवहाराची माहिती देताना योग्य त्या विहित नमुन्यातच देणे बंधनकारक करणे आवश्यक आहे. अन्यथा त्यांनी नमुन्याशिवाय कळविलेल्या माहितीची

कोणतीही नोंद न घेता अथवा त्यावर कोणतीही कार्यवाही न करता सदर कागदपत्रे दफ्तरीदाखल केली जातील व भविष्यात याची जबाबदारी संबंधित भा.प्र.से.अधिकाऱ्यावर राहिल, याचीही नोंद घेण्यात यावी.

आपली,

सही/-

(चित्कला झुत्शी)

अपर मुख्य सचिव (सेवा), महाराष्ट्र शासन

सहपत्रे - नियम व विहित नमुने

Important Provisions of AIS (Conduct) Rule, 1968
(with Govt. of India's Instructions)

2. Definitions- . In these rules, unless the context otherwise requires-

2.(a) "Government" means-

(i) in the case of a member of the Service serving in connection with the affairs of the Union, the Central Government; or

(ii) in the case of a member of the Service serving under a Foreign Government or outside India (whether on duty or on leave), the Central Government; or

(iii) in the case of a member of the Service serving in connection with the affairs of a State, the Government of that State;

Explanation- . A member of the Service whose services are placed at the disposal of a company, corporation or other organisation or a local authority by the Central Government or the Government or the Government of a State shall for the purpose of these rules, be deemed to be a member of the Service serving in connection with the affairs of the Union or in connection with the affairs of that State, as the case may be, notwithstanding that his salary is drawn from the sources other than the Consolidated Fund of India or the Consolidated Fund of that State;

2.(b) 'member of family', in relation to a member of the service, includes-

(i) the wife or husband as the case may be of such member, whether residing with (such member) or not, but does not include a wife or husband separated from the member of the Service by a decree or order of competent court;

(ii) the son or daughter or the step-son or step-daughter of such member and wholly dependent (on such member) but does not include a child or step-child who is no longer in any way dependent (on such member) or of whose custody the member of the Service has been deprived by or under any law; and

(iii) any other person related, whether by blood or marriage, to such member or to his or her wife or husband, as the case may be, and wholly dependent on such member.

2.(c) "member of the Service" means a member of an All India Service as defined in section 2 of the All India Services Act, 1951 (61 of 1951)

2(d) "private undertaking" includes a company, firm or association or body of individuals.

3. General.- 3(1) Every member of the Service shall at all times maintain absolute integrity and devotion to duty and shall do nothing which is unbecoming of a member of the Service.

3.(2) Every member of the Service shall take all possible steps to ensure integrity of, and devotion to duty by, all Government servants for the time being under his control and authority.

3.(2A) Every member of the service shall in the discharge of his duties act in a courteous manner and shall not dilatory tactics in his dealings with the public or otherwise.

3 (3)(i) No member of the Service shall, in the performance of his official duties, or in the exercise of powers conferred on him, act otherwise than in his own best judgement to be true and correct except when he is acting under the direction of his official superior.

3.(3)(ii) The direction of the official superior shall ordinarily be in writing. Where the issue of oral direction becomes unavoidable, the official superior shall confirm it in writing immediately thereafter.

3.(3)(iii) A member of the Service who has received oral direction from his official superior shall seek confirmation of the same in writing as early as possible and in such case, it shall be the duty of the official superior to confirm the direction in writing.

Explanation I.- A member of the Service who habitually fails to perform a task assigned to him within the time set for the purpose and with the quality of performance expected of him shall be deemed to be lacking in devotion to duty within the meaning of the sub-rule (1);

Explanation II.- Nothing in clause (i) of sub-rule (3) shall be construed as empowering a Government servant to evade his responsibilities by seeking instructions from or approval of, a superior officer or authority when such instructions are not necessary under the scheme of distribution of powers and responsibilities.

4. Employment of near relatives in companies or firms.

(4).(1) No member of the Service shall use his position or influence directly or indirectly to secure employment for any member of his family with any private undertaking.

4. (2)(a) No member of the Service shall, except with the previous sanction of the Government, permit 1(a member of his family) to accept employment with any (private undertaking) having official dealings with the Government.

Provided that where the acceptance of such employment cannot await the sanction of the Government or is otherwise considered urgent, the matter shall be reported to the Government, and the employment may be accepted provisionally subject to the sanction of the Government.

4(2)(b) A member of the Service shall, as soon as he becomes aware of the fact of acceptance by a member of his family of an employment with any private undertaking report to the Government the fact of such acceptance and also whether he has or has had any official dealings with that private undertaking:

Provided that no such report shall be necessary if the member of the Service has already obtained sanction of, or sent a report to, the Government under clause (a).

4.(3)(a) No member of the Service shall in the discharge of his official duties, deal with any matter relating to, or award any contract in favour of a private undertaking or any other person, if any members of his family is employed in that private undertaking or under that person or if he or any member of his family is interested in such private undertaking or other person in any other manner.

4.(3)(b) In any case referred to in clause (a), the member of the Service shall refer the matter to his official superior and the case shall thereafter be disposed of according to the instructions of the official superior.

6. Connection with press or radio- Previous sanction of the Government shall not be required when the member of the service, in the bonafide discharge of his duties or otherwise, publishes a book or contributes to or participates in a public media.

Provided that he shall observe the provisions of rules and at all times make it clear that the views expressed, are of his own and not those of the Government.

7. Criticism of Government.- No member of the Service shall, in any radio broadcast or communication over any public media or in any document published anonymously, pseudonymously or in his own name or in the name of any other person or in any communication to the press or in any public utterance, make any statement of fact or opinion,-

Which has the effect of an adverse criticism of any current or recent policy or action of the Central Government or a State Government; or
which is capable of embarrassing the relations between the Central Government and any State Government;
or

which is capable of embarrassing the relations between the Central Government and the Government of any Foreign State:

Provided that nothing in this rule shall apply to any statement made or views expressed by a member of the Service in his official capacity and in the due performance of the duties assigned to him.

(Also refer to D.P. & A.R. letter No. 14017/9/75-AIS(III), dated the 2nd March, 1976, reproduced under Miscellaneous Executive Instructions at the end of these Rules)

11. Gifts.- 11(1) A member of the service may accept gifts from his near relatives or from his personal friends having no official dealings with them, on occasions such as wedding, anniversaries, funerals and religious functions when the making of gifts is in conformity with the prevailing religious and social practice, but he shall make a report to the Government if the value of such gift exceeds Rs.5,000/- .

Explanation- For the purposes of this rule "gift" includes free transport, free boarding, free lodging or any other service or pecuniary advantage when provided by a person other than a near relative or personal friend having no official dealings with the member of the Service but does not include a casual meal, casual lift or other social hospitality.

11 (2) Save as otherwise provided in sub-rule (1), no member of the service shall accept any gift without the sanction of the Government if the value of gift exceeds Rs.1,000/-.

11.(4) Member of the Service shall avoid accepting lavish hospitality or frequent hospitality from individuals having official dealings with them or from industrial or commercial firms or other organisations.

Substituted vide DP&T Notification No. 11017/40/87-AIS (III), dated 22-2-88.

11-A. Giving or taking of dowry.- No member of the Service shall-

(i) give or take or abet the giving or taking of dowry; or

(ii) demand, directly or indirectly, from the parents or guardian of a bride or bridegroom, as the case may be, any dowry.

Explanation.- For the purpose of the rule, "dowry" has the same meaning as in the Dowry Prohibition Act, 1961 (28 of 1961).

12. Public demonstrations in honour of Government Servants.- 12 (1) No member of the Service shall except with the previous sanction of the Government, receive any complimentary or valedictory address or accept any testimonial or attend any meeting or entertainment held in his honour or in the honour of any other Government Servant.:

Provided that nothing in this rule shall apply to-

(i) a farewell entertainment of a substantially private and informal character held in honour of a member of the Service or any other Government servant on the occasion of his retirement or transfer or of any person who has recently quit service of Government; or

(ii) the acceptance of simple and inexpensive entertainments arranged by public bodies or institutions.

12. (2) No member of the Service shall exercise pressure of any sort or any Government servant to induce him to subscribe towards any farewell entertainment even, if it is of a substantially private and informal character.

13. Private trade or employment.- 6613(1) Subject to the provisions of sub-rule (2), no member of the Service shall except, with the previous sanction of the Government,-

(a) engage directly or indirectly in any trade or business, or

- (b) negotiated for or undertake, any other employment, or
- (c) hold an elective office, or canvass for a candidate or candidates for an elective office, in any body, whether incorporated or not, or
- (d) canvass in support of any business of insurance agency, commission agency etc. owned or managed by any member of his family, or
- (e) take part, except in the discharge of his official duties, in the registration, promotion or management of any bank or other company registered or required to be registered under the Companies Act, 1956 (of 1956), or any other law for the time being in force, or of any co-operative society for commercial purposes.
- (f) Participate in, or associate himself in any manner, in the making of:-
 - (i) a sponsored media (including radio, television programme, or
 - (ii) a media programme commissioned by Government media, but produced by an outside agency, or
 - (iii) a privately produced radio or television or other media programme including a video magazine. provided that no previous permission shall be necessary in the case a member of the service participates in a programme produced by the Doordarshan on a subject dealt with by him in his official capacity.

13 (2) A member of the Service may, without the previous sanction of the Government,-

- (a) undertake honorary work of a social or charitable nature, or
 - (b) undertake occasional work of a literary, artistic or scientific character, or
 - (c) participate in sports activities as an amateur, or
 - (d) take part in the registration, promotion or management (not involving the holding of an elective office) of a literary, scientific or charitable society, or of a club, or similar organisation, the aims or objectives of which relate to promotion of sports, cultural, or recreation activities, registered under the Societies Registration Act, 1860 (21 of 1860), or any other law for the time being in force; or
 - (e) take part in the registration, promotion or management (not involving the holding of an elective office) of a co-operative society substantially for the benefit of the members of the Service or government servants registered under the Co-operative Societies Act, 1912 (2 of 1912), or any other law for the time being in force in any State :
- Provided that,-

- (i) he shall discontinue taking part in such activities if so directed by the Government; and
- (ii) in a case falling under clause (d), or clause (e) of this sub-rule, his official duties shall not suffer thereby and he shall, within a period of one month of his taking part in such activity, report to the Government giving details of the nature of his participation.

13 (3) Every member of the Service shall, if any member of his family is engaged in a trade or business, or owns or manages an insurance agency or commission agency, report that fact to the Government.

13 (4) NO member of the Service shall accept any fee for any work done for any public body or for any private person without the sanction of the Government.

13 (5) Contesting election to sports bodies etc. :- Subject to the provisions of sub-rule (2) of rule 13, no member of the service shall, except with the previous sanction of the Central Government:-

- (i) hold an elective office in any sports association/ federation/ body, by whatever name known at State/ National level for a term of more than 4 years or for one term, whichever is less: provided that this restriction

will not apply to functionaries like the District Magistrate, Superintendent of Police etc. when they hold posts in ex-officio capacity at Divisional/ District/ Sub-divisional/ Taluk levels;

(ii) Canvass either for his own candidature or for any other person for holding elective office in such sports bodies is mentioned in clause (i) above.

(iii) While canvassing for contesting elections either on his own behalf or any other person, indulge in conduct and becoming a member of the service

(iv) Shall proceed on travel abroad in connection with the work or other activities of any sports bodies described in clause (I) above without prior cadre clearance from the Central Government

7 Explanation: Fee means a recurring or non-recurring payment made, whether directly or indirectly to a member of the Service from a source other than the Consolidated Fund of India or the Consolidated Fund of a State, but does not include :-

(a) unearned income such as income from property, dividends and interest on securities; and

(b) Income from literary, cultural, artistic, scientific, or technological efforts and income from participation in sports activities as an amateur.

16. Movable, immovable and valuable property.- 16. (1) Every person shall, where such person is a member of the Service at the commencement of these rules, before such date after such commencement as may be specified by the Government in this behalf, or where such person becomes a member of the Service after such commencement, on his first appointment to the Service, submit a return of his assets and liabilities in such form as may be prescribed by the Government giving the full particulars regarding :-

(a) the immovable property owned by him, or inherited or acquired by him or held by him on lease or mortgage, either in his own name or in the name of any member of his family or in the name of any other person;

(b) shares, debentures, postal Cumulative Time Deposits and cash including bank deposits inherited by him or similarly owned, acquired or held by him;

(c) other movable property inherited by him or similarly owned, acquired or held him; and

(d) debts and other liabilities incurred by him directly or indirectly

NOTE I.- In all returns, the values of items of movable property worth less than 10 Rs. 15, 000 in value may be added and shown as a lump sum. The value of articles of daily use such as clothes, utensils, crockery and books need not be included in such return

NOTE II.- Where a member of an All India Service is appointed as a member of another All India Service, he shall not be required to submit a fresh return under this sub-rule.

16 (2) Every member of the Service shall submit an annual return in such form as may be prescribed by the Government in this regard, giving full particulars regarding the immovable property inherited by him or owned or acquired by him or held by him on lease or mortgage, either in his own name or in the name of any member of his family or in the name of any other person.

16(3) No member of the Service shall, except with the previous knowledge of the Government,-

(a) acquire any immovable property by lease, mortgage, purchase, gift or otherwise, either in his own name or in the name of any member of his family; or

(b) dispose of by lease, mortgage, sale gift or otherwise any immovable property owned by him or held by him either in his own name or in the name of any member of his family:

9 Provided that the previous sanction of the Government shall be obtained if any such transaction is with a person having official dealings with the member of the Service.

16 (4) Every member of the Service shall intimate the Government in respect of each transaction, whose value exceeds Rs.15,000/- within a month of the completion of such transaction.

10 Provided that the previous sanction of the Government shall be obtained if any such transaction is with a person having official dealings with the member of the Service.

16 (5) The Government or any authority empowered by it in this behalf may, at any time, by general or special order, require a member of the Service to furnish within a period specified in the order, a full and complete statement of such movable or immovable property held or acquired by him or on his behalf or by any member of his family as may be specified in the order and such statement shall if so required by the Government or by the authority so empowered, include details of the means by which, or the source from which such property was acquired.

11 Explanation I.- For the purpose of this rule, the expression movable property includes inter alia the following property, namely :-

(a) jewellery, insurance policies the annual premia of which exceeds a fifteen thousand rupees or one sixth of the total annual emoluments received by the member of the Service from the Government, whichever is less, shares, securities and debentures;

(b) loans advanced by or to such member of the Service, whether secured or not;

(c) motor cars, motor cycles, horses, or any other means of conveyance; and

(d) refrigerators, radiograms and television sets.

Explanation II.- For the purpose of this rule, 'lease' means, except where it is obtained from, or granted to, a foreign national or foreign mission or a foreign organisation controlled by, or associated with, foreign missions, or a person having official dealings with the member of

the Service, a lease of immovable property from year to year or for any term exceeding one year or receiving a yearly rent.

11 16A. Transaction in immovable property outside India.- Notwithstanding anything contained in sub-rule (3) of rule 16, no member of the Service shall except with the previous sanction of the Government,-

16A (a) acquire by lease, mortgage, purchase, gift or otherwise, either in his own name or in the name of any member of his family, any immovable property situated outside India; or

16A (b) dispose of by mortgage, sale, gift or otherwise, or grant any lease in respect of, any immovable property situated outside India which was acquired or is held by him either in his own name or in the name of any member of his family; or

16A (c) enter into any transaction with any foreigner, foreign Government, foreign organisation or concern,-

(i) for the acquisition, by lease, mortgage, purchase, gift or otherwise, either in his own name or in the name of any member of his family, of any immovable property.

(ii) for the disposal of, by mortgage, sale, gift or otherwise, or the grant of any lease in respect of any, immovable property which was acquired or is held by him either in his own name or in the name of any member of his family

GOVERNMENT OF INDIA'S DECISION UNDER RULE 3.

(1) A question was raised whether members of the Service were prohibited from taking part in proselytising activities under these Rules. The Government of India have decided that although, under the Constitution of India, servants of the States are entitled in their private lives to profess, practice or propagate any religion freely, they should so conduct themselves in public as to leave no room for an impression that they are likely in their official dealings to favour persons belonging to any particular religion. Such an impression is bound to arise in respect of a member, who participates in bringing about or organizing conversions from one religion to another and such conduct would be even more reprehensible if, in the process, he makes use, directly or indirectly, of his official position or influence.

(2) Although a specific provision in this regard is not made in these Rules, participation in proselytising activities may be treated as good and sufficient reason for taking disciplinary action against a member under the All India Service (Discipline and Appeal) Rules, 1955.

(3) The provisions contained in the preceeding paragraph may be kept in view by the State Governments, while examining the conduct of members of the Service in this regard.

[G.I., M.H.A. letter No. (IS) 503/58-AIS(III), dated 30th May, 1958, read with O.M. No. 25/50/57-Ests. (A), dated 15th January, 1958-M. H. A. F. No. 16/39/58-AIS(III)].

GOVT. OF INDIA DECISIONS UNDER RULE 6 AND RULE 13(4)

1. There is no objection to radio broadcasts or contributions to newspapers, periodicals, etc. on matter relating to sports being made by members of the Service without prior sanction of the Government.

(G.I. M.H.A. letter No. 7/23/56-AIS II, dated 27th April, 1956).

2. According to the proviso to sub-rule (2) of rule 6 of the All India Services (Conduct) Rules, 1968, a member of an All India service is not required to obtain the previous sanction of the Government for publishing a book or for contributing an article to a newspaper, periodical etc. If the subject matter of the book or contribution is of a purely literary, artistic or scientific character and, in the case of a book, it is published through a publisher. A question has been raised as to whether in such cases a member of an All India Service should obtain the sanction of the Government for accepting remuneration for such publication.

2.1 It has been brought to the notice of the Government that some retired officers have published books/articles which revealed sensitive information on certain operation pertaining to the security of the State/having a bearing on the sovereignty and integrity of India. It has

also been noted that such disclosures are not only likely to embarrass the Govt. and the officers concerned, whose names has been revealed, but they are also likely to seriously affect cordial and friendly relations with foreign States. Administrative Ministries/ Departments/Authorities should very carefully and critically review such instances and ensure that necessary follow-up action as envisaged in the Official Secrets Act, 1923/relevant Pension Rules governing the conditions of pension of retired Govt. servants, are taken in time, as and when necessary. Even more important would be the need to exercise greater care/discretion at the time

of according permission to serving the case may be, for publication of material which would attract the provisions of the Official Secrets Act, 1923.

DP & T letter No. 11017/48/92 AIS(III), dated 4/2/1993

2.2 Sub-rule (4) of rule 13 *ibid* provides that no member of an All India Service shall accept any fee for any work done for any public body or for any private person without the sanction of the Government. This provision is independent of the provision contained in rule 6. As such even though a member of an All India Service is not required to obtain the sanction of the Government for publishing a book etc. on a purely literary artistic or scientific subject he has to obtain the sanction of the Government for accepting any

remuneration, for the work from a source other than the Consolidated Fund of India or the Consolidated Fund of a State. Similarly, in cases where a member of an All India Services, is required to obtain the sanction of the Government, under rule 6, for the publication of the book etc. the sanction under rule 6, does not automatically imply sanction of the Government under sub-rule (4) of rule 13, and, in cases where the provisions of the sub-rule are attracted, specific sanction thereunder is necessary.

2.3 The question whether any portion of the fee, received for the work, should be credited to the Government, is to be decided in accordance with Supplementary Rule 12, as far as the members of and All India Service serving in connection with the affairs of the Union are concerned. In the case of a member of an I.A.S. serving in connection with the affairs of a State, this matter may be regulated by the rules, regulations and orders, applicable to the members of the State Civil Service Class I of that State.

(Departement of Personnel and A.R. No. 5/4/73-AIS(III), dated 27-4-73).

(3) A question arose, whether members of the Service can be permitted to submit thesis for Ph.D. etc., the Govt. of India advised that the State Governments themselves could decide each individual case on merits. If the State Government are satisfied that the proposed course of studies is not likely to Interfere with the effecient discharge of officer's duties, they may, at their discretion, permit the officer.

[G.I. M.H.A. F. No. 8/76/62-AIS(III)].

4. Sanction of the Government is not necessary for publication of a book or article by a member of the service if the 'work' is of literary, artistic or scientific character and is not aided by his official duties but the officer should take care that in publishing the book he does not contravence provisions of rule 6 or any other provisions of the All India Services (Conduct) Rules, 1968.

Provisions of S.R. 12 are also not attracted in such cases.

[G.I. M.H.A. F. No. 8/35/62-AIS(III)].

GOVERNMENT OF INDIA'S DECISION UNDER RULE 11

(1) The main criteria to be followed in deciding whether a member of the Service or a member of his family, should be permitted to retain a gift would be whether it has been inspired by his official position and also whether it is likely to embarrass or influence him, either immediately or prospectively in the discharge of his official duties.

[G.I. M.H.A. letter No. 7/15/56-AIS (II), dated 10th April, 1956].

(2) The Government of India have decided that presents made to members of the Service by visiting foreign 'dignitaries' as distiguated from 'foreigners' shall be disposed of in the following manner:-

(i) Presents, which are of a symbolic and not of any practical value, like swords ceremonial robes etc., may be retained by the recipients;

(ii) Presents of trival value, which for this purpose shall be *Rs. 3000/ may be retained by the recipients; and

(iii) Presents not covered by the above two categories shall be deposited at the Government Toshakhanna(in the Ministry of External Affairs), from where the recipients may be given the option to purchase them at prices fixed by the authorities incharge.

[G.I. M.H.A/ letter No. 25/49/55-Ests., dated 31st March, 1956, read with Deptt. of Personnel and A.R. letter No. 5/28/73-AIS-(III), dated 10-1-1974 and No. 11017/55/76-AIS (III), dated 8-12-1976].

(3) A question has been raised whether the instructions contained in letter No. 5/28/73-AIS (III), dated 10-1-1974 could be applied in the case of gifts received by members of the service from foreign firms.

This question has been carefullly considered in this department. According to the normal policy no permission is granted, save in exceptional circumstances, for acceptance of gifts made to members of the

services by firms, whether foreign or indigenous, with whom the members of the service concerned has had or has or is likely to have official dealings, either directly or indirectly by virtue of his official position. Permission should also not be normally granted for the acceptance of gifts by members of the All India Services from firms which are contracting firms with the Government even if the contract is entered into by Ministry or Department other than one in or under which the member of the service concerned is serving. The question of grant of permission for acceptance of gifts from a foreign firm would, therefore, normally arise only in those cases where the foreign firm concerned is neither a firm contracting with the Government

*Letter No. 11017/39/82-AIS (III) dated 9-5-1983

nor one with which the member of the service concerned has had or has or is likely to have official dealings and there is no reason to doubt the bona fides of the gifts by the foreign firms. In such cases, where it is proposed to grant permission for acceptance of the gifts made by a foreign firm the procedure laid down in this department letter of even number dated 10-1-1974 referred to above should be followed.

[D.P. & A.R. letter No. 5/28/73-AIS (III), dated 22-10-1975].

(4) Instances have come to the notice of the Government in which senior officers and others were presented, on the occasion of their retirement or transfer expensive gifts for the purchase of which the members of staff contributed. Though farewell entertainment of substantially private and informal character, may be held in the honour of officers on the eve of

their retirement or transfer, yet it is hardly healthy or desirable to allow the practice of accepting gifts from the staff. It has, therefore, been decided that in future no officer should be given permission to accept gifts of more than trifling value, at the time of transfer.

(2) There is, however, no objection to the officer's accepting gifts at the time of his retirement from members of the staff subject however to prior permission of Government wherever such permission is necessary.

(3) The State Government may, if there be no objection follow these instructions while dealing with the similar cases of officers serving in connection with the affairs of the State.

[G.I. M.H.A. letter No. 8/51/62-AIS(III), dated 30th November 1962].

GOVERNMENT OF INDIA'S DECISIONS UNDER RULE 12

A question was arisen whether it would be in consonance with the spirit of this rule for members of the Service to accept invitations to declare buildings, etc. open, or to lay the foundation-stones of new buildings, or to allow bridges, road, buildings, parks or public

institutions such as hospitals, schools or colleges be named after them. The Government of India have decided that it would not only be against the spirit of this rule, for members of the Service to act in the manner set forth above, but it would be inappropriate and inconsistent with the rule of detached impartiality legitimately expected of them and that it would generally have an unwholesome effect.

(2) While it is possible that there may be occasion when members may have to participate in such functions, which have a cultural or sociological significance especially in remote areas, they should, as far as possible refrain from associating themselves with such functions. In cases, where they are in doubt, they would be well advised to take the prior permission of their superior officers.

(3) The State Government may issue similar orders in respect of members of the Service serving under them.

[M.H.A. letter No. 6/79/57-AIS(II), dated 28th October, 1957 read with O.M. No. 25/24/57-Ests.(A) dated 16-9-1957].

GOVERNMENT OF INDIA'S INSTRUCTIONS UNDER RULE 16

(1) The members of the Service serving in connection with the affairs of the Union or serving under a Foreign Government or outside India, shall submit the declaration under sub-rule 1 & 2 in Form 1. The declaration shall be submitted in duplicate, one copy being forwarded to the State Government, on whose cadre the member is borne, and the other to Establishment Officer to the Government of India. As far as the members of the Service serving in connection with the affairs of the State are concerned, the State Governments may adopt the same form, subject to such changes, if any, as they may consider necessary in the light of local conditions. In their case also, the declaration shall be submitted in duplicate, one copy being forwarded to the Government of India in the Ministry of Home Affairs.

2. The returns shall be submitted in separate sealed covers subscribed as follows:-

"Statement of immovable property furnished under rule 16 (1) of the All India Services (Conduct) Rules, 1954, on the first appointment for the year.

Name (In block letters)

(Service, Cadre) and

Designation of Officer,"

3. The returns in respect of members serving in connection with the affairs of the Union etc., will be kept in separate folders. When the return relating to a particular year is received from such a member it would be added to the relevant letter and retained in safe custody, after it is scrutinised by the Deputy Secretary (Vigilance). The State Governments may also adopt the same course in respect of returns of members serving under them.

[G.I., M.H.A. letter and O.M. No. 8/2/54-AIS (II), dated 8th

November, 1955, and O.M. No. 18/2/55-AIS (III), dated 23rd May, 1956 read

with letter No. 12(2)-E.O. III/69, dated 13th November, 1959].

(2) The return of immovable property shall be submitted by the members of the Service on their first appointment to the Service within a month of such appointment and subsequently in the month of January every year. The initial return shall show the position as on the date of their appointment and subsequent returns as on the 1st January of the year in which they are submitted.

[G.I., M.H.A. No. 8/9/60-AIS (III), dated 16th February, 1960.]

(3) Applications from officers of the All India Services entering into transactions concerning immovable properties, otherwise than through a regular/reputed dealer, are at present, dealt with in the Ministry of Home Affairs. As a rule all such applications should be routed through the 'head of Department' of the Organisation under which the officer is serving for the time being and the later while forwarding these applications should indicate a positive recommendations whether in his opinion permission to enter into the proposed transaction may be granted/withheld.

[M.H.A. letter No. 8/53/64-AIS (III), dated 27th October, 1964.]

GOVERNMENT OF INDIA'S DECISIONS

(1) Under this rule, a member of the Service who has share in a joint family property is required to report it. He is also required to obtain Government's permission for the disposal of his share in the joint family property, when such permission is necessary under sub-rule (4).

[G.I., M.H.A. U.O. No. 6/34/57-AIS (II), dated 7th May, 1957.]

(2) The Govt. of India have decided that the purchase of any movable property exceeding 16 Rs. 10,000 in value by a member of the Service for the construction or extension of a house shall be reported to the prescribed authority in the following manner:

(i) before starting the construction/extension, he shall report or seek permission, as the case may be, in form II, and

(ii) after completing the construction/extension, he shall report in Form III.

2. The details in Forms II and III shall be furnished wherever it is possible to do so. Where however it is not possible to furnish details, the members shall mention the covered area, on which the building is proposed to be erected, and the estimated cost of the building.

The decision should be construed to have been issued under Rule 16.

[G.I. M.H.A. letter No. 6/5/57-AIS (III), dated 12th September, 1957, read with letter No. 11017/25/75-AIS (II), dated 9th September, 1975 and letter No. 11017/40/75-AIS (III), dated 11th November, 1975.]

(3) It should inter alia also be mentioned in the prescribed form I whether the construction etc. would be done by any contractor. If the construction is to be done by a contractor he should also indicate whether he had or has any official dealings with the contractor.

[M.H.A. letter No. 8/55/63-AIS (III), dated 1st February, 1964.]

(4) In the case of a member of the Service governed by the Dayabhai School, he has no right in the ancestral property, so long as father is alive. His interest in the joint family property which is non-existent is not therefore, to be included in the return prescribed in sub-rule (3).

[G.I., M.H.A. letter No. 6/37/57-AIS (II) dated 18th November, 1957.]

(5) The Government of India have decided that in cases, where the expenditure to be incurred on repairs or minor construction work in respect of an immovable property belonging to a member of the Service exceeds 1713

Rs. 10,000, prior sanction of the prescribed authority is necessary and the procedure outlined in Government of India's decision (2) above shall be followed.

[G.I., M.H.A. letter No. 6/50/57-AIS (II), dated 7th January, 1958.]

(6) A question arose whether repairs costing more than 17 Rs. 10,000, to a joint family property, in which a member of the Service had interest, should be reported to the prescribed authority, when the expenditure was being met from the joint family fund. The Government of India had decided that permission would be necessary only if the share of the member of the joint family funds is such, that the proportionate share of liability falling on him would exceed 17 Rs. 2,000.

[G.I., M.H.A., U.O. No. 16/64/58-AIS (III), dated 2nd August, 1958.]

(7) I.C.S. officers permanently seconded to the I.F.S. are required to submit one copy of the return of immovable property to the State Government concerned

[G.I., M.H.A. letter No. 16/11/59-AIS (III), dated 1st September, 1959.]

(8) A question was raised whether a transaction involving purchase of movable property exceeding 17 Rs. 2,000 in value by the wife or by an other member of the family of an All India Service Officer, entirely from his/her funds, is required to be reported to the Government and whether such property should be included in the property return which the State Government may call for under sub-rule (4).

(8.2) It has been decided that such transactions in movable property need not be reported to the Government. As regards similar transactions in immovable property by the family members of an All India Service Officer, while they are not required to be reported as and when they are entered into, they have to be included, as separate items in the returns of immovable property prescribed in sub-rule (3).

(8.3) As regards return which the State Governments may prescribe under sub-rule (4), it is not, circumscribed by the provision of sub-rule (2). Thus, though there is no mention of the members of the family in sub-rule (2), the State Governments are not precluded from requiring from their officers to include

marable or immovable properties held or acquired by the members of their families in the return prescribed by them under sub-rule (4).

[G.I., M.H.A., letter No. 16/33/59-AIS (III), dated 9th September, 1959.]

(9) The Government of India have decided that, while fixed deposits in a bank or deposit in a saving bank account made by a member of the Service from out of his salary or accumulated savings would not come within the scope of sub-rule (2), it would be necessary for the member to report to the Government all purchases of Postal or National Saving Certificate exceeding Rs. 2,000 in value, from such accumulated savings or deposits in banks or post offices, as the Postal or National Saving Certificates come in the same category as insurance policies, shares, securities and debentures mentioned in Explanation (a)

[G.I., M.H.A. letter No. 16/59/59-AIS (III), dated 12th January, 1960.]

(10) Provisions of this rule apply to transactions, even though they are with persons outside the jurisdiction of a member of the Service or outside the State, on whose cadre he is borne. In such cases, the procedure to be followed before grant of sanction approval to the purchase or sale of immovable property by the member is, that the State Government may ascertain from the local authorities, in the case of property situated within the State, whether the price to be paid or the sale price is reasonable in the case of sale or purchase of immovable property situated outside the State the State Government concerned may be addressed in the matter.

[G.I. MHA letter No. 8/4/60-AIS(III) dt. 30th January 1961.]

(11) A doubt was raised whether sanction of the Government was necessary where a member of the Service contributed towards the construction of a building on a plot of land owned by a member of his family.

2. Such a transaction would come within the scope of sub-rule (4) if the contribution in cash or kind exceeds Rs. 2,000 in value. The requirement of this sub-rule should, therefore, be complied with by the officer.

[M.H.A. letter No. 8/6/61-AIS (III), dated 16th February, 1961.]

(12) Where a member of the Service enters into a transaction in immovable property with the Government no prior sanction is necessary.

[M.H.A. letter No. 8/36/61-AIS (III), dated 25th August, 1961.]

(13) The intention behind the forms prescribed in Government of India's decision (2) above is that the immovable property that would be acquired during the construction/extension should be reported to the Government as required by sub-rule (4). If the construction/ extension is financed entirely by a member of the family of the officer, rule 16 would not be attracted and hence it would not be necessary for him to submit the reports; but where such construction/extension is financed wholly or partly by a member of the Service in his own name or in the name of any member of his family, reports will have to be submitted.

[M.H.A. letter No. 8/19/62-AIS (III), dated 15th March, 1962.]

(14) The Government of India have decided that a 'Co-operative Society' can be termed as a regular/reputed dealer for purposes of rules 16(3) and 16(4) of the All India Services (Conduct) Rules, 1968.

[M.H.A. letter No. 8/69/62-AIS (III), dated 4th September, 1962.]

(15) Sub-rules (3) and (4) extend to gifts made by a member of the Service to his wife relative dependents etc. When a gift is made by a member of the Service to his relative or dependents the question of approaching a dealer or an agent would not arise. The proviso to sub-rules (3), (4) of rule 16 have therefore, no application where the nature of transaction is such as to exclude the possibility of the engagement of a dealer or agent. In view of this, a member of the Service need not obtain the prior permission of the Government for making gifts to his wife or relatives or any one else. It would suffice if he makes a report to the Government under rule 16(3) or 16(4) as the case may be for information.

[Deptt. of Personnel and A.R. letter No. 9/15/71-AIS (III), dated 26th August, 1971.]

(16) A question has arisen whether-

(a) clauses (i) and (ii) of the proviso to sub-rules (3) and (4) of rule 16 of the All India Services (Conduct) Rules, 1968 are mutually exclusive; and

(b) it is in order if an officer submits an ex-postfacto report of a transaction in immovable property conducted through or with a regular or reputed dealer.

The correct position is explained in the succeeding paragraphs.

(16.2) Clauses (i) and (ii) of proviso to sub-rules (3) and (4) of rule 16 *ibid* are not mutually exclusive. The proviso is attracted if the transactions in movable and immovable properties come under either of the clauses, thereof. Thus, a member of the Service has to obtain the previous sanction of the government in the following types of transactions:-

(i) transaction with a person having official dealings with the member of service.

(ii) transaction with a person having no official dealings with the member of the service.

When a member of the Service reports to the Govt., or seeks permission of the Govt. of a transaction, he has to indicate whether he has had any official dealings with the person with whom he has entered into or proposes to enter into, transactions in movable or immovable properties.

(16.2.1) As regards the question whether the ex-postfacto report submitted to the Govt. by a member of the Service about transaction in immovable property is in order, it is pointed out that sub-rule (3) of rule 16 *ibid* provides that no member of the Service shall enter into a

transaction in immovable property, without the previous knowledge of the Government. That is to say cases, where a member of the service is not required to obtain previous sanction of the Government for entering into a transaction in immovable property, he has to give prior intimation to the Government about the transaction. In view of this requirement submitting an ex-post-facto report to the Government about a transaction in immovable property conducted through a regular or reputed dealer is not in accordance with the provisions of the rules. As regards transactions in movable property entered to with a person having no official dealings with the member of the service, he has to report to the Government within one month of the transaction.

[Deptt. of Personnel & A.R. letter No. 5/18/73-AIS (III), dated 20th July, 1973]

[M.H.A. letter No. 11017/46/75-AIS (III), dated 13th April, 1976.]

(17) Sub-rules (3) and (4) of rule 16 of the All India Services (Conduct) Rules, 1968, apply only to properties acquired etc. by the members of the Service either in their own names or in the names of the members of their families. In other words, the properties either acquired by the members of the families of the officers from out of their own funds or inherited by them would not attract the provisions of the rules. As such, the movable/ immovable properties owned, etc. by the members of the families of the officers, which are either inherited by them or acquired by them from out of their own funds, are not required to be included in the property returns envisaged in sub-rule (2) of rule 16 *ibid* (letter No 5/4/74-AIS (III), dated 21st February, 1974.)

(18) A question has arisen as to whether a member of All India Services should report to, or seek permission of, Government under sub-rule (3) and (4) of the rule 16 of the All India Services (Conduct) Rules, 1968 for acquiring immovable and movable properties by inheritance. The following clarification is issued for the guidance of the State Government:-

(19.2) Sub-rule (3) of rule 16 provides that no member of the Service shall, except with the previous knowledge of the Government:-

(a) Acquire any immovable property by lease, mortgage, purchase, gift or otherwise, whether in his own name or in the name of any member of his family: or

(b) dispose of by lease, mortgage, sale, gift or otherwise an immovable property owned by him or held by him either in his own name or in the name of any member of his family.

The proviso below this sub-rule envisages that previous sanction of the Government shall be obtained by a member of the Service for entering into any such transaction if it is with a person having official dealings with him or otherwise than through a regular or reputed dealer.

(18.3) The words 'or otherwise' occurring in the sub-rule would cover property acquired by a member of the Service by inheritance also. When a member of the Service inherits any immovable property, the question of approaching a dealer or agent would not arise and the proviso below this sub-rule will have no applications in such types of transactions. A member of the Service need not, therefore, obtain prior permission of the Government for acquiring any immovable property by inheritance. He should, however, submit a report to the Government giving full details of the property so acquired.

(18.3.1) Acquiring movable properties (including cash) by member of the Service by inheritance, would amount to transaction in movable property, for the purpose of sub-rule (4) of rule 16 *ibid*. In this type of transaction also, since the proviso below this sub-rule would have no application as member of the Service need not obtain prior sanction of the Government for acquiring any movable property (including cash) by inheritance. He should, however, report to the Government the details of the movable property (including cash) inherited by him if the value of such property exceeds rupees two thousand.

[D.P. & A.R. letter No. 5/19/74-AIS (III), dated 3rd July, 1974.]

(19) A question has been raised whether investment in Unit Trust of India, Treasury Savings Deposits, National Savings Certificates, Post Office Time Deposits etc. is a transaction in movable property for the purpose of sub-rule (4) of rule 16. It is clarified that sale or purchase of Units of Unit Trust of India, Treasury Savings Deposits, National Saving Certificates is a transaction in movable property if the value of any such transaction exceeds +Rs. 10,000 a member of the service has to report to the Government about such transaction as provided for in sub-rule (4). Prior permission of the Government is not necessary for entering into such type of transactions. It has also been decided that a member of the Service need not report to seek permission from the Government for depositing money in and receiving final payment from the Cumulative Time Deposit Account whether operated with a bank or a post office even if the amount in question exceeds +Rs. 2,000.

Similarly, a member of the Service is not required to report to the Government about the deposits and withdrawals of amounts exceeding +Rs. 10,000 to and from his account in a bank.

[Deptt. of Personnel and A.R letter No. 5/32/74-AIS(III), dated 22nd November, 1974 and No. 11017/12/75-AIS(III), dated 14th July, 1975.]

(20) A question has arisen whether:-

(a) a member of an All India Service should obtain permission of the Government for joining chit fund;

(b) a member of an All India Service should report to the Government or seek prior permission of the Government for taking life insurance policies; and

(c) a member of the Service should obtain permission of the Government for making fixed deposits in banks.

The correct position is explained in the following paragraphs:

2. The subscriptions which a member of an All India Service gives to a chit fund would be a transaction in movable property within the meaning of sub-rule (4) of rule 16 of the All India Services (Conduct) Rules, 1968. If the annual subscription to the chit fund exceeds +Rs. 2,000 a member of the Service has to report to the Government under the aforesaid rule previous sanction of the Government would be necessary only if the member of the service concerned has official dealings with the chit fund and if it is not a registered chit fund company. The amount that a member of the service may receive from the chit fund can be classified into two categories.

(i) receiving the amount of the sum total of the contribution payable by all subscribers for any one instalment less the discount or commission payable to the Chit Fund company by bid before the expiry of the period upto which the subscription is to be made, and

(ii) receiving the amount at the time of maturity.

2.1 As regard (i) above, since the amount received, by a subscriber from the chit fund by bid would be more than the amount subscribed by him and the difference will have to be made good by him by future subscriptions upto the total period of the chit fund, the amount received in such case would amount to loan received from the chit fund company. Since the chit fund company is not a banking company and the provisions of the Banking Regulations Act 1949 are not therefore, applicable to such companies, a member of the Service has to obtain permission of the Government under proviso to sub-rule (4) of rule 16 of the All India Services (Conduct) Rules, 1968 for receiving the money from the chit fund companies in such cases. As regards (ii) if the amount received from the chit fund exceeds Rs. 2,000 a member of the Service has to report to the Government under sub-rule (4) of the rule 16 ibid because the amount received by him would not be exclusively the amount subscribed by him but would also include the commission payable by the chit fund company.

3. As regards (b), a member of the Service need not obtain prior permission of the Government for taking a life insurance policy. He will have, however, to submit a report to the Government as laid down below:

(i) A member of the Service should submit a report to the Government while taking an insurance policy if the annual premium of it exceeds Rs. 10,000. However, if the annual premium first determined is less than Rs. 10,000 but on conversion, it exceeds Rs. 10,000 a report to the Government is necessary at the stage. When he receives the sum assured as survival benefit/on maturity of the policy he need not submit any report to the Government.

(ii) A member of the Service need not report to the Government while taking an insurance policy annual premium of which is less than Rs. 2,000. He should however, submit a report to the Government at the time of receiving the sum assured as survival benefit/on maturity of the policy.

4. As regards (c) while fixed deposits in a bank or deposits in a Savings Bank account made by a member of the service from out of his salary or accumulated savings would not come within the scope of sub-rule (2), it would be necessary for the member of the service to report to the Government all purchase of Postal or National Savings Certificates exceeding Rs. 2,000 in value, from such accumulated Savings.

(M.H.A., letter No. 16/59/59-AIS(III), dt. 13-1-1960 read with DP. & AR. letter No. 5/8/73-AIS(III), dated 1-7-1974).

(21) In cases of transactions in immovable property with the State Housing Boards in regard to purchase of residential flats etc. no prior sanction of the Government is necessary. However, the officers have to inform the Government in advance. Attention is also invited to Government of India decision 14 below rule 16 of the A.I.S. (Conduct) Rules, 1968 (reproduced at p. 104 of AIS Manual Part I corrected upto 1-8-1984).

(G.R. DP & AR O.M. No. D2456/83- AIS(III), dt. 3-12-1983.)

(22) A question has been raised whether the house/flat let out to a member of All India Services, the rental value of which does not exceed 10,000/- p.m., is required to be reported to the Govt. It has been decided that the property returned is filled on annual basis, therefore, if the rental value of property exceeds Rs. 10,000/- for a year, it is to be shown in the annual property returns. The rental value of the property exceeding Rs. 10,000 is to be reported to the Govt.

(DP&T No. 11017/37/92 AIS(III), dated 2/9/92),)

(2) In exercise of powers vested under rule 23 of the All India Services (Conduct) Rules, 1968, it has been ordered that the powers of the Central Govt. under sub-rule (4) of rule 16 of the All India Services (Conduct) Rules, 1968 in respect of I.P.S. officers working in the Central

Police Organisation in ranks upto D.I.G. shall be exercised by the heads of the organisations concerned. Copies of sanctions issued in this regard will, however, be endorsed to the Ministry of Home Affairs (I.P.S. Section).

[Order No. 11017/22/78-AIS(III), dated 5-7-79.]

A question has been raised whether transactions made by a Trust are to be reported to the Govt. if the Trustee is a member of the All India Services or his wife is a Trustee-

It has been decided that any transaction entered into by the officer on behalf of the Trust will be dealt with under the All India Services (Conduct) Rules, 1968 as if the transaction(s) were entered into in his personal capacity. In other words, the provisions of the All India Services (Conduct) Rules, 1968 attract also the transactions entered into by the member of the Service on behalf of the Trust.

[Deptt. of Personnel & Trg. letter No. 11017/95/84-AIS(III), dated March, 1985]

शासनाकडे अखिल भारतीय सेवा (वर्तणूक) नियम, १९६८ च्या नियम १२ अन्वये पारितोषिक /पुरस्कार स्विकारण्याची पूर्वपरवानगी मिळण्यासाठी करावयाचा अर्ज.

१. अधिकाऱ्याचे नाव व पदनाम :
२. कार्यालयाचा पत्ता व दूरध्वनी क्रमांक :
३. पारितोषिक / पुरस्कार देणाऱ्या संस्थेचे नाव व पत्ता :
४. संस्था खाजगी आहे की शासकीय / निमशासकीय आहे ? :
५. संस्थेशी अधिकाऱ्यांचे कार्यालयीन संबंध आहेत/ होते काय / किंवा भविष्यात येण्याची शक्यता आहे काय ? :
६. पारितोषिक कोणत्या कामाबद्दल देण्यात येत आहे ? (शासकीय सेवेतील उत्कृष्ट कामासाठी की अन्य कारणासाठी -उदा. साहित्य, कला इत्यादि क्षेत्रातील कामासाठी) :
७. पारितोषिकाचे स्वरूप (रोख रक्कम / मौल्यवान वस्तू / प्रशस्तीपत्र) :
८. पारितोषिकासाठी निवड करण्याचे निकष / पध्दती. :
९. पुरस्कार वितरण समारंभाच्या अध्यक्षस्थानी कोण असणार व कोणाच्या हस्ते पुरस्कार /पारितोषिक :

दिले जाणार त्या व्यक्तीचे नाव व आनुषंगिक माहिती

१०. गेल्या ३ वर्षात ज्या व्यक्तींना पुरस्कार देण्यात :
आला त्यांची नावे आणि पदनामे

मी श्री / श्रीमती

असे जाहिर करतो

/करते की मी वर लिहून दिलेला मजकूर माझ्या माहिती आणि समजूतीप्रमाणे खरा आणि बरोबर आहे.

सही :-

(नाव व पदनाम)

दिनांक :

तळटीप :- १) अखिल भारतीय सेवा (वर्तणूक) नियम १९६८ च्या नियम क्र.१२ खालील शासन परिपत्रक, सामान्य प्रशासन विभाग, क्रमांक : भाप्रसे-१५९४/२७७३/(३०५)/९, दिनांक १५ सप्टेंबर, १९९४ अनुसार खाजगी संस्था/ मंडळाकडून पारितोषिक स्विकारण्यास सर्वसाधारण परिस्थितीत परवानगी दिली जात नाही.

२) शासनाच्या पूर्वपरवानगीसाठी असा अर्ज पूर्णपणे भरून नियोजित दिनांकांपूर्वी किमान एक महिना अगोदर शासनाकडे प्राप्त होणे आवश्यक आहे.

३) मजकूर टंकलिखित किंवा स्वच्छ हस्ताक्षरात वाचता येण्याजोगा आणि निःसंदिग्ध असावा.

४) शक्य तेथे (पुराव्याच्या / संबंधित) कागदपत्रांच्या सत्य प्रती जोडाव्यात.

५) अनावश्यक मजकूर खोडावा.

६) शासनाची स्पष्ट मान्यता मिळाल्याशिवाय पारितोषिक / पुरस्कार स्विकारता येणार नाही.

शासनाकडे अखिल भारतीय सेवा (वर्तणूक) नियम, १३ (२) अन्वये समिती / संस्था / विश्वस्त मंडळ यांचे सदस्यत्व स्विकारण्यासाठी परवानगी मिळण्यासाठी / माहिती देण्यासाठी करावयाच्या अर्जाचा विहित नमुना (शासनाच्या पूर्व परवानगीसाठी सदर सदस्यत्व स्विकारण्याच्या नियोजित दिनांकापूर्वी किमान एक महिना अगोदर अर्ज प्राप्त होणे आवश्यक)

१. अधिकाऱ्याचे नाव व पदनाम आणि :
कार्यालयाचा पत्ता व दूरध्वनी क्रमांक
२. ज्या समितीचे / संस्थेचे / मंडळाचे सदस्यत्व/ :
इतर पद स्विकारावयाचे आहे, तिचे नाव व
पत्ता (पत्राच्या प्रतीसह)
३. सदर संस्थेशी कार्यालयीन संबंध होते / आहेत :
काय ? भविष्यात येण्याची शक्यता आहे काय ?
४. समितीचे स्वरूप (संस्था / मंडळ / शासकीय / :
निमशासकीय/ खाजगी / खाजगी परंतु अनुदानित
आहे किंवा कसे ?
५. समितीचे कार्य, उद्दिष्ट आणि कार्यक्षेत्र :
(शक्य तेथे छापील प्रत जोडावी.)
६. संस्था नोंदणीकृत आहे काय ? असल्यास नोंदणी :
क्रमांक
७. सदस्यत्वाचा देकार आहे की अधिकारी स्वच्छेने :
सदस्य होऊ इच्छितात ?
८. संस्थेचे सदस्य होण्याचे प्रयोजन, सदर संस्थेचे सदस्य :
म्हणून संस्थेच्या कामकाजामध्ये सहभागाचे स्वरूप
(विशेषत्वाने संस्थेसाठी निधी उभारण्यात सहभागी
होण्याची शक्यता आहे काय ?

९. सदस्यत्वाची वर्गणी असल्यास :
त्याचा तपशील
१०. सदस्यत्वाचा कालावधी किती ? :
११. संस्थेचे पदाधिकारी / इतर सदस्य / :
विश्वस्त यांची नावे आणि पत्ते
(आवश्यक तेथे स्वतंत्र यादी जोडावी)
१२. संस्था स्थापन होण्यासाठी निधी कोणत्या :
मार्गाने गोळा केला आहे आणि संस्थेचा
दैनंदिन आणि कार्यावरचा खर्च
कशाप्रकारे भागविण्यात येतो ?
१३. अधिकारी अन्य संस्थेचेही सदस्य :
असल्यास त्यांचा तपशील.

मी श्री / श्रीमती

असे जाहिर करतो

/करते की मी वर लिहून दिलेला मजकूर माझ्या माहिती आणि समजूतीप्रमाणे खरा आणि बरोबर आहे.

सही /-
(नाव व पदनाम)

दिनांक :

- टीप :-
- १) मजकूर टंकलिखित किंवा स्वच्छ हस्ताक्षरात वाचता येण्याजोगा आणि निःसंदिग्ध असावा.
 - २) कृपया संस्थेचे गेले तीन वर्षांचे वार्षिक अहवाल सोबत जोडावेत.
 - ३) शक्य तेथे पुराव्यासाठी संबंधित कागदपत्रांच्या प्रती जोडाव्यात.
 - ४) अनावश्यक मजकूर खोडावा.

शासनाला अखिल भारतीय सेवा (वर्तणूक) नियम, १९६८ च्या नियम १३ (३) अन्वये कुटुंबातील सदस्यांच्या धंदा / व्यवसाय/ नोकरीची माहिती कळविण्यासाठी विहित नमुना.

१. अधिकाऱ्याचे नाव व पदनाम आणि :
कार्यालयाचा पत्ता व दूरध्वनी क्रमांक
२. ज्या सदस्याविषयी माहिती द्यायची आहे त्या :
कुटुंबातील सदस्यांचे नाव आणि अधिकाऱ्यांशी
नाते :
३. यापूर्वी सदर सदस्य अधिकाऱ्यांवर पूर्णपणे :
अवलंबून होता काय ?
४. सदर सदस्यांचा धंद्याचा / व्यवसायाचा प्रकार :
:
- ५.१ स्वतंत्र धंदा / व्यवसाय असल्यास - :
(अ) त्याची नोंदणी झाली आहे काय ? :
नोंदणी क्रमांक
(ब) व्यवसायाचे ठिकाण व स्वरुन :
(क) व्यवसायास लागणारे भांडवल / निधी :
यांची उभारणी कशी केली आहे
(कृपया सविस्तर तपशील द्यावा व
संबंधित कागदपत्रांच्या प्रती जोडाव्यात).
(ड) व्यवसायात भागीदार आहेत काय ? :
असल्यास त्यांची नावे व पत्ते आणि
भागीदारीचे स्वरुप (नफ्याचे प्रमाण इ.
तपशील द्यावा)
(इ) व्यवसायाशी / भागीदारांशी :
अधिकाऱ्यांचे कार्यालयीन संबंध होते /
आहेत काय ?
भविष्यात येण्याची शक्यता आहे का ?

(फ) अंदाजे उत्पन्न :

:

५.२ सदर सदस्य एखाद्या / कंपनीमध्ये / संस्थेत :
/ नोकरी / एजन्सी करीत असल्यास
(अ) संस्था / कंपनीचे नाव व पत्ता :

(ब) नोकरी / व्यवसायातील कामाचे स्वरूप :
(पदनाम असल्यास ते द्यावे)

(क) अंदाजे उत्पन्न :

(ड) कंपनीशी / व्यवसायाशी अधिकाऱ्यांचे :
कार्यालयीन संबंध होते / आहेत किंवा
कसे तसेच भविष्यात कार्यालयीन संबंध
येण्याची शक्यता आहे काय ?

मी श्री / श्रीमती

असे जाहिर

करतो / करते की मी वर लिहून दिलेला मजकूर माझ्या माहिती आणि समजूतीप्रमाणे खरा आणि बरोबर आहे.

सही /-
(नाव व पदनाम)

दिनांक :

टीप :- १) मजकूर टंकलिखित किंवा स्वच्छ हस्ताक्षरात वाचता येण्याजोगा आणि निःसंदिग्ध असावा.
२) शक्य तेथे पुराव्यासाठी संबंधित कागदपत्रांच्या प्रती जोडाव्यात.
३) अनावश्यक मजकूर खोडावा.

शासनाकडे अखिल भारतीय सेवा (वर्तणूक) नियम, १९६८ अन्वये अभ्यासक्रम पूर्ण करण्यासाठी पूर्वपरवानगी मिळण्यासाठी करावयाच्या अर्जाचा विहित नमुना.

(अभ्यासक्रमाच्या सुरुवातीस नियोजित दिनांकापूर्वी किमान एक महिना अगोदर अर्ज शासनाकडे प्राप्त होणे आवश्यक आहे.)

(अ) अधिकाऱ्याचे नाव व पदनाम आणि :
कार्यालयाचा पत्ता व दूरध्वनी क्रमांक

(ब) सध्याचे पद अधिकारी केव्हापासून धारण :
करीत आहेत ?

(क) अभ्यासक्रमाविषयी तपशील
१. अभ्यासक्रमाचे नाव :

२. महाविद्यालय / संस्थेचे नाव :

३. अभ्यासक्रम पूर्ण करण्यासाठी एकूण :
आवश्यक कालावधी

(ड) अभ्यासक्रम शासकीय कामासाठी उपयोगी :
आहे काय ? असल्यास त्याचे स्वरूप

(इ) अभ्यासक्रमासाठी पाठयक्रम / तासिकेची :
वेळ कोणती आहे?
उपस्थिती सक्तीची आहे काय ?

दैनंदिन शासकीय कामकाज करण्यामध्ये :
त्यामुळे काही अडचण येणार आहे का ?

(फ) वर्तमान पदावरुन अन्यत्र बदली झाल्यास दुसऱ्या :
ठिकाणाहून किंवा अन्य संस्थेमधून / महा-
विद्यालयातून सदर अभ्यासक्रम पूर्ण करता
येईल काय ? (असल्यास स्पष्टीकरण करावे)

(ग) अभ्यासक्रम पूर्ण करण्यासाठी किंवा परीक्षेकरिता :
अर्जित रजा आवश्यक असेल काय ?
असल्यास किती व केव्हा ?

मी श्री / श्रीमती

असे जाहिर

करतो /करते की मी वर लिहून दिलेला मजकूर माझ्या माहिती आणि समजूतीप्रमाणे खरा आणि बरोबर आहे.

सही /-

(नाव व पदनाम)

दिनांक :

टीप :-

- १) मजकूर टंकलिखित किंवा स्वच्छ हस्ताक्षरात वाचता येण्याजोगा आणि निःसंदिग्ध असावा.
- २) शक्य तेथे पुराव्यासाठी संबंधित कागदपत्रांच्या प्रती जोडाव्यात.
- ३) अनावश्यक मजकूर खोडावा.

शासनाची अखिल भारतीय सेवा (वर्तणूक) नियम, १९६८ च्या नियम ६ आणि ७ अन्वये पुस्तक / लेख / प्रबंध लिहिण्यास परवानगी घेणेबाबत

- (१) अधिकाऱ्याचे नाव आणि पदनाम :
- (२) कार्यालयाचा पत्ता आणि दूरध्वनी क्रमांक :
- (३) पुस्तक / लेख / प्रबंधाचा विषय :
- (४) (अ) पुस्तक/लेखाचा प्रकार (साहित्यिक/ललित लेखन/समसामायिक / सरकारी ध्येयधोरण विषयक/इतर) :
- (ब) सदर पुस्तक /लेख/प्रबंध यासाठी आवश्यक माहिती ज्ञान दैनंदिन शासकीय कामकाजामुळे प्राप्त आहे काय ?:
- (५) लेखन कोणासाठी करण्यात येत आहे (स्वतःहून किंवा एखाद्या व्यक्ती /संस्थेच्या विनंतीवरून त्यांच्या प्रकाशनासाठी) :
- (६) (अ) लेख/प्रबंध/पुस्तक कसे प्रकाशित / प्रसिध्द करण्यात येणार आहे ? :
- (ब) पुस्तक /प्रबंध/लेख स्वतः प्रसिध्द करावयाचे असल्यास त्यासाठी लागणारा खर्च किती आणि तो कसा भागवण्यात येणार आहे ? :
- (क) एखाद्या संस्थेमार्फत प्रसिध्द करण्यात येत असल्यास सदर संस्थेचे नाव, पत्ता व इतर तपशील द्यावा. :
- (ड) सदर संस्थेशी आपले कार्यालयीन संबंध होते किंवा आहेत काय ? तसेच भविष्यात येण्याची शक्यता आहे काय? :

- (इ) संस्थेच्या पदाधिकाऱ्यांची नावे व पत्ते :
आणि कार्यक्षेत्र (लागू असल्यास)
- (७) सदर पुस्तक / लेख/प्रबंध यापासून :
होणारी आर्थिक प्राप्ती किती ?
- (८) (अ) सदर पुस्तक/लेख/प्रबंध लिहिण्यासाठी :
काही दौरा वगैरे करण्यासाठी किंवा
रजेची आवश्यकता भासणार आहे काय ?
- (ब) लेख लिहिण्यासाठी अनुषंगिक खर्च :
किती अपेक्षित आहे आणि तो कोण
करणार आहे ?
- (९) या कामामुळे कार्यालयीन कामकाजावर विपरीत :
परिणाम होणार आहे काय ?
- (१०) यापूर्वी अशा कामासाठी शासनाची परवानगी :
देण्यात आली आहे काय ?

मी श्री / श्रीमती

असे जाहिर करतो /करते की मी वर लिहून दिलेला मजकूर माझ्या माहिती आणि समजूतीप्रमाणे खरा आणि बरोबर आहे.

सही /-

(नाव व पदनाम)

दिनांक :

टीप :-

- १) मजकूर टंकलिखित किंवा स्वच्छ हस्ताक्षरात वाचता येण्याजोगा आणि निःसंदिग्ध असावा.
- २) शक्य तेथे पुराव्यासाठी संबंधित कागदपत्रांच्या प्रती जोडाव्यात.
- ३) सदर अर्ज प्रकाशनाच्या नियोजित दिनांकापूर्वी किमान एक महिना आधी शासनाकडे प्राप्त होणे आवश्यक आहे.
- ४) अनावश्यक मजकूर खोडावा.

शासनाची अखिल भारतीय सेवा (वर्तणूक) नियम, १९६८ च्या नियम १३(४) अन्वये खाजगी संस्था/मंडळ यांचेकडून फी/ मानधन स्वीकारण्यास परवानगी घेण्यासाठी करावयाचा अर्ज.

(१) अधिकाऱ्याचे नाव आणि पदनाम :

(२) कार्यालयाचा पत्ता आणि दूरध्वनी क्रमांक :

(३) (अ) ज्या कामासाठी फी/मानधन :
मिळणार आहे त्याचे स्वरूप
व तपशील

(ब) सदर कामकाजासाठी किती वेळ :
लागणार आहे? त्याचा दैनंदिन
कार्यालयीन कामकाजावर परिणाम
होण्याची शक्यता आहे काय ? :

(४) (अ) ज्या संस्था/मंडळाकडून फी/ :
मानधन मिळणार आहे त्या
संस्था/मंडळाचे नाव

(ब) सदर संस्थेचा कार्यालयीन पत्ता :
आणि कार्यक्षेत्र व इतर तपशील :

(क) सदर संस्था /मंडळ नोंदणीकृत :
आहे काय ? (असल्यास नोंदणी
क्रमांक द्यावा आणि सदर संस्थेच्या
पदाधिकाऱ्यांची माहिती द्यावी)

(५) फी/मानधनाची एकूण रक्कम :

(६) सदर कामाचे ज्ञान दैनंदिन शासकीय :
कामकाजामुळे प्राप्त झाले आहे किंवा कसे ? :

- (७) (अ) सदर काम अन्य व्यक्ती/ :
संस्थेकडून करता येण्यासारखे
आहे काय ?
- (ब) आपणासच सदर काम देण्याचे :
प्रयोजन काय ?
- (८) यापूर्वी आपणास अशा प्रकारचा अन्य :
कामासाठी फी/मानधन स्वीकारण्यासाठी
शासनाकडून परवानगी देण्यात आली आहे का ? :
- (९) सदर संस्थेशी /मंडळाशी अधिकाऱ्याचे :
कार्यालयीन संबंध आहेत/होते काय ?
भविष्यात तसे संबंध देण्याची शक्यता
आहे काय ?
- १०) सदर संस्थेला शासनाकडून अनुदान मिळालेले :
आहे काय, सदर संस्थेच्या उत्पन्नाचे साधन
कोणते आहे ?

मी श्री / श्रीमती

असे जाहिर करतो /करते की मी वर लिहून दिलेला मजकूर माझ्या माहिती आणि समजूतीप्रमाणे खरा आणि बरोबर आहे.

सही /-
(नाव व पदनाम)

दिनांक :

- टीप :-
- १) मजकूर टंकलिखित किंवा स्वच्छ हस्ताक्षरात वाचता येण्याजोगा आणि निःसंदिग्ध असावा.
 - २) शक्य तेथे पुराव्यासाठी संबंधित कागदपत्रांच्या प्रती जोडाव्यात.
 - ३) सदर अर्ज प्रकाशनाच्या नियोजित दिनांकापूर्वी किमान एक महिना आधी शासनाकडे प्राप्त होणे आवश्यक आहे.
 - ४) अनावश्यक मजकूर खोडावा.

□

Form for giving prior intimation or seeking previous sanction under Rule 16(3) of the AIS (Conduct) Rules, 1968 for transaction in respect of immovable property.

1. Name and Designation.
2. Scale of Pay and present pay.
3. Purpose of application -
sanction for transaction/prior
intimation of transaction.
4. Whether property is being acquired
or disposed of.
5. Probable date of acquisition /
disposal of property.
6. Mode of acquisition / disposal.
7. (a) Full details about location.
Viz. Municipal No. Street/Village,
Taluka, District and State in which
situated.
(b) Description of the property, in
the case of cultivable land, dry or
irrigated land.
(c) Whether free hold or leas hold.
(d) Whether the applicant's interest in
the property is in full or part.
(in case of partial interest, the extent
of such interest must be indicated).
(e) In case the transaction is not
exclusively in the name of the
Government servant, particulars of
ownership and share of each member.
8. Sale / purchase price of the property.
(Market value in the case of gifts).
9. In cases of acquisition, source or sources
from which financed / proposed to be
financed :-
(a) Personal savings.
(b) Other sources giving details.
10. In the case of disposal of property,
was requisite sanction / intimation
obtained / given for its acquisition
(A copy of the sanction / acknowledgement
should be attached).
11. (a) Name and address of the party with
whom transaction is proposed to be made.
(b) Is the party related to the applicant?

If so, state the relationship.

(c) Did the applicant have any dealings with the party in his official capacity at any time, or is the applicant likely to have any dealings with him in the near future?

(d) How was the transaction arranged? (Whether through any statutory body or a private agency through advertisement or through friends and relatives. Full particulars to be given).

12. In the case of acquisition by gifts, whether sanction is also required under Rule 11 of the AIS (conduct) Rules, 1968.
13. Any other relevant fact which the applicant may like to mention.

DECLARATION

I, _____ hereby declare that the particulars given above are true. I request that I may be given permission to acquire / dispose of property as described above from / to the party whose name is mentioned in item 11 above.

OR

I, _____ hereby intimate the proposed acquisition / disposal of property by me as detailed above. I declare that the particulars given above are true.

Station :

Signature :

Date :

Designation :

Note : 1. In the above form, different portions may be used according to requirement.

2. Where previous sanction is asked for, the application should be submitted at least 30 days before the proposed date of the transaction.

□

FORM-II

□

□

Form for giving prior intimation or seeking previous sanction under Rule 16(4) of the AIS (Conduct) Rules, 1968 for transaction in respect of movable property.

1. Name of the Government Servant.
2. Scale of Pay and present pay.
3. Purpose of application -
sanction for transaction / intimation
of transaction.
4. Whether property is being acquired
or disposed of.
5. (a) Probable date of acquisition or
disposal of property.
(b) If the property is already acquired /
disposed of - Actual date of transaction.
6. (a) Description of the property (e.g. Car /
Scooter / Motor Vehicle / Refrigerator /
Radio / radiogram / jewellery / loans /
insurance policies etc.)
(b) Make, model (and also registration No.
in case of vehicles), where necessary.
7. Mode of acquisition / disposal (purchase
sale, gift, mortgage, lease or otherwise).
8. Sale / purchase price of the property.
(Market value in the case of gifts).
9. In cases of acquisition, source or sources
from which financed / proposed to be
financed :-
(a) Personal savings.
(b) Other sources giving details.
10. In the case of disposal of property,
was requisite sanction / intimation
obtained / given for its acquisition
(A copy of the sanction / acknowledgement
should be attached).
11. (a) Name and address of the party with
whom transaction is proposed to be made
has been made.
(b) Is the party related to the applicant?
If so, state the relationship.

(c) Did the applicant have any dealings
with the party in his official capacity at

any time, or is the applicant likely to have any dealings with him in the near future?

(d) Nature of official dealings with the party.

(e) How was the transaction arranged? (Whether through any statutory body or a private agency: through advertisements or through friends and relatives. Full particulars to be given).

12. In the case of acquisition by gifts, whether sanction is also required under Rule 11 of the AIS (conduct) Rules, 1968.

13. Any other relevant fact which the applicant may like to mention.

DECLARATION

I, _____ hereby declare that the particulars given above are true. I request that I may be given permission to acquire / dispose of property as described above from / to the party whose name is mentioned in item 11 above.

OR

I, _____ hereby intimate the acquisition / disposal of property by me as detailed above. I declare that the particulars given above are true.

Station :

Signature :

Date :

Designation :

Note : 1. In the above form, different portions may be used according to requirement.

2. Where previous sanction is asked for, the application should be submitted at least 30 days before the proposed date of the transaction.

F O R M

Statement of Immovable Property Returnm \$ on appointment/ for \$ of the year _____

1. Name of Officer (in full) and service to which the Officer belongs _____
2. Present Post held _____
3. Cadre of the State of which borne _____
4. Year of allotment _____
5. Present Pay _____

Name of district, sub-division, taluka and village in which property is situated	Name and details of property Housing and lands other buildings	*Present value	If not in own name, state in whose name hold and his/her relationship to the member of service	How acquired whether by purchase lead @ mortgage inheritance, gift or otherwise with date of acquisition and name with details of person/s from whom acquired	Annual income from the property	Remarks
1	2	3	4	5	6	7

Signature
Date

\$ Inapplicable clause to be struck out.

*In case where it is not possible to assess the value accurately the approximate value in relation to present conditions may be indicated

@Includes short-term lease also.

NOTE – This Declaration form is required to be filled in and submitted by every member of the I.A.S./I.P.S./I.F.S. under rule 16 (1) and (2) of the All India Services (Conduct) Rules, 1968, on first appointment to the service, and thereafter in the month of January every year giving particulars of all Immovable property owned, acquired or inherited by him or held by him on lease or mortgage, either in his own name or in the name of any member of his family or in the name of any other person